

ORIGINAL

AO 440 (Rev. 8/01) Summons in a Civil Action

FILE WITH CLERK'S OFFICE**UNITED STATES DISTRICT COURT****EASTERN**

District of

WASHINGTON

THOMAS A. WAITE,

Plaintiff,

V.

SUMMONS IN A CIVIL CASETHE CHURCH OF JESUS CHRIST OF
LATTER DAY SAINTS, a Utah
corporation; DONALD C. FOSSUM;
and STEVEN D. BRODHEAD,CASE NUMBER: **CV-05-399-EFS**

Defendant.

TO: (Name and address of Defendant)

The Church of Jesus Christ of Latter Day Saints 50 East North Temple 16th Floor Salt Lake City, UT 84150	Donald C. Fossum 740 N 1100th East Provo, UT 84606	Steven D. Brodhead 9031-11th Place West Everett, WA 98204
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YOU ARE HEREBY SUMMONED and required to serve on **PLAINTIFF'S ATTORNEY** (name and address)

Richard C. Eymann Eymann Allison Fennessy Hunter Jones, P.S. 2208 W. Second Avenue Spokane, WA 99204	Stephen L. Nordstrom Nordstrom & Nees, P.S. 323 S. Pines Road Spokane, WA 99206
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an answer to the complaint which is served on you with this summons, within 120 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

James R. Larsen

CLERK

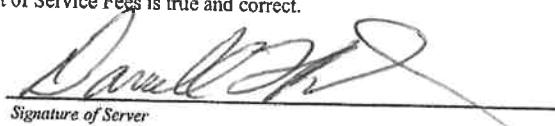
DEC 12 2005

DATE

(By) DEPUTY CLERK

Renea Demarte

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ¹¹	DATE	December 24, 2005
NAME OF SERVER (PRINT) Darrel Bennett	TITLE	Process Server
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where _____		
<input checked="" type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.		
Name of person with whom the summons and complaint were <u>James Bradhead, Father</u>		
<input type="checkbox"/> Returned unexecuted: _____		
<input type="checkbox"/> Other (specify): _____		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL <u>48.85</u>
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u>12-28-05</u>  Date <small>Signature of Server</small></p>		
<u>2927 Rockefeller Ave.</u> <small>Address of Server</small> <u>Everett, Wa</u> <u>98201</u>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF WASHINGTON

THOMAS A. WAITE,

Plaintiff / Petitioner

Cause #: CV-05-399-EFS

vs.

THE CHURCH OF JESUS CHRIST OF LATETER
DAY SAINTS, A UTAH CORPORATION; ET AL.

Defendant / Respondent

Declaration of Service of:

SUMMONS IN A CIVIL CASE, COMPLAINT FOR DAMAGES
PERSONAL INJURIES AND DEMAND FOR JURY TRIAL

ORIGINAL SENT

Hearing Date:

DEC 28 2005

FOR FILING

Declaration:

The undersigned hereby declares: That s/he is now and at all times herein mentioned, a citizen of the United States and a resident of the State of Washington, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, and is competent to be a witness therein.

On the date and time of

Dec 24 2005 2:30PM

at the address of

9031 11TH PL W EVERETT

within the County of

SNOHOMISH

State of WASHINGTON

the declarant duly served the above described documents upon

STEVEN D BROADHEAD

by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with

JAMES BROADHEAD/FATHER/CO-RESIDENT A White male approx. 45-55 years of age 6'2"-6'4" in height weighing 220-240 lbs with brown hair

a person of suitable age and discretion who stated the above address to be the residence and usual place of abode of themselves and the subject(s) and/or subject's legal representative listed above.

No information was provided that indicates that the subjects served are members of the U.S. military.

I hereby declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated: December 27, 2005 at Everett, WA

by

D. Bennett 2004-22

The documents listed above were served in accordance with RCW 4.28.080 and/or client instructions. If service was substituted on another person or left with a person that refused to identify themselves, it is incumbent upon the client to notify ABC Legal Services, Inc. immediately in writing if further attempts to serve, serve by mail, or investigate are required. If service was substituted on another person, pursuant to RCW 4.28.080 (16), service shall be complete on the tenth day after a copy of the documents are mailed to the subject at the address where service was made. Documents were not mailed by ABC Legal Services, Inc.

Service Notes:

FATHER SAID S/O IS HOME FOR VACATION WILL GIVE PAPERS TO SON WHEN HE GETS HOME

Documents:	10.00	Secretarial:	0.00	Other:	0.00
Travel:	31.85	Postage:	0.00	Total:	48.85
Invalid Address (0)	0.00	Photo:	0.00	Pre-Paid Retainer:	0.00
Proof Preparation:	7.00	Rush / Special:	0.00		
Summons Copy:	0.00	Wait / Stake Out Time:	0.00	AMOUNT DUE	48.85

Client Ref.: RCE-12256

Eymann, Allison, Hunter & Jones, P.S.
2208 W 2nd Ave
Spokane, WA 99204
509 747-0101CLIENT COPY
PROOF OF SERVICEABC Legal Services, Inc.
910 5th Ave. Seattle, WA 98104
(206) 521-9000
Tracking #: 3687730